

In light of the general provisions of §2-415, the language of this section would appear to be superfluous unless intended to permit a person to serve as both president and vice-president and/or to permit a person to execute a document in more than one capacity. Clarifying legislation may be appropriate.

5-109. CORPORATE NAME - IN GENERAL.

(A) USE OF "CHARTERED," "PROFESSIONAL ASSOCIATION," OR "P.A." REQUIRED.

THE CORPORATE NAME OF A PROFESSIONAL CORPORATION SHALL CONTAIN THE WORDS "CHARTERED" OR "PROFESSIONAL ASSOCIATION" OR THE ABBREVIATION "P.A."

(B) USE OF CERTAIN WORDS PROHIBITED.

A PROFESSIONAL CORPORATION MAY NOT USE IN ITS CORPORATE NAME:

(1) ANY WORD OR ABBREVIATION FOR "COMPANY," "CORPORATION," OR "INCORPORATED"; OR

(2) EXCEPT FOR THE WORDS SPECIFIED IN SUBSECTION (A) OF THIS SECTION ANY OTHER WORD, ABBREVIATION, AFFIX, OR PREFIX WHICH INDICATES THAT IT IS A CORPORATION.

(C) EXCEPTION.

A PROFESSIONAL CORPORATION MAY OMIT THE WORDS "CHARTERED" OR "PROFESSIONAL ASSOCIATION" OR THE ABBREVIATION "P.A." FROM ITS CORPORATE NAME WHEN PERFORMING A PROFESSIONAL SERVICE AND EXERCISING ITS AUTHORIZED POWERS, IF:

(1) THE CORPORATION HAS REGISTERED THE NAME TO BE USED IN THE MANNER PROVIDED IN ARTICLE 2, § 18 OF THE CODE; AND

(2) THE NAME TO BE USED IS THE SAME AS ITS CORPORATE NAME EXCEPT FOR THE WORDS AUTHORIZED BY THIS SUBSECTION TO BE OMITTED.

REVISOR'S NOTE: This section presently appears as Art. 23, §440(a). The requirement of §440(a) for inclusion of the last name of at least one stockholder in a professional corporation's name has been placed in § 5-110.

In subsection (c) (1) of this section, the phrase "in the manner provided by Article 2,